



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET  
DENVER, COLORADO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

Ref: 8ENF-W

CERTIFIED MAIL LETTER  
RETURN RECEIPT REQUESTED

JUL 9 2009

Teton County Commissioners  
c/o Leland Christensen, Chair  
POB 3594  
Jackson, WY 83001

Re: Notice of Safe Drinking Water Act  
Enforcement Action against the  
Snake River Mobile Home Park  
PWS ID# 5600214

Dear Commissioners:

The Safe Drinking Water Act (SDWA) requires that the Environmental Protection Agency (EPA) notify locally elected officials of certain enforcement actions taken in their area.

An Administrative Order is being issued to Alan Bybee and SSSDA, LLC as the owners/operators of the Snake River Mobile Home Park in Jackson, Wyoming. This Order requires that measures be taken to return the public water system to compliance with the SDWA and the National Primary Drinking Water Regulations. The violations include failure to monitor for lead and copper and late completion of the annual consumer confidence report, and failure to notify EPA of the violations.

For more details, a copy of the Order is enclosed for your information. **The Order does not require any response or action by the County Commission.** If you have any questions regarding this Order, please contact Kathelene Brainich at (303) 312-6481.

Sincerely,

Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosure (Administrative Order)



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 18th STREET – SUITE 300  
DENVER, COLORADO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

JUL 9 2009

CERTIFIED MAIL –  
RETURN RECEIPT REQUESTED

Alan Bybee  
Snake River Mobile Home Park  
POB 1153  
Jackson, WY 83001

Donna H. Shepherd, Registered Agent  
SSDA, LLC  
POB 4338  
Jackson, WY 83001

Re: Administrative Order  
Docket No. **SDWA-08-2009-0057**  
Snake River Mobile Home Park  
PWS ID #5600214

Dear Mr. Bybee and Mrs. Shepherd:

Enclosed is an Administrative Order issued by the Environmental Protection Agency (EPA) under the authority of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300f *et seq.* Among other things, the Order describes how Mr. Bybee and SSDA, LLC, as owner and/or operator of the Snake River Mobile Home Park water system, have violated the National Primary Drinking Water Regulations. This is the fourth enforcement action issued regarding the Snake River Mobile Home Park.

The Order is effective upon the date received. Please review the Order and within 10 days provide EPA with any information you believe EPA may not have. If Mr. Bybee and SSDA, LLC comply with the Order for twelve months, EPA may close the Order without further action. Failure to comply with the Order may lead to substantial civil penalties and/or a federal court injunction ordering compliance.

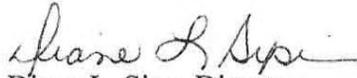
To submit information or request an informal conference with EPA, contact Kathelene Brainich at the above address (mailcode 8ENF-W) or by phone at (800) 227-8917, extension 6481, or (303) 312-6481. For legal questions, the attorney assigned to this matter is



Amy Swanson, who can be reached at the above address (with the mailcode 8ENF-L) or by phone at (800) 227-8917, extension 6906 or (303) 312-6906.

We urge your prompt attention to this matter.

Sincerely,



Diane L. Sipe, Director  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

Enclosures

cc: WY DEQ/DOH (via email)  
Tina Artemis, EPA Regional Hearing Clerk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2009 JUL -9 AM 11:13

EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF )  
 )  
 Alan Bybee and )  
 SSDA, LLC )  
 Snake River Mobile Home Park )  
 Jackson, Wyoming )  
 )  
 Respondents. )  
 )

Docket No. SDWA 08-2009-0057

ADMINISTRATIVE ORDER

1. This Order is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (EPA) by section 1414(g) of the Safe Drinking Water Act (the Act), 42 U.S.C. § 300g-3(g), as properly delegated to the undersigned officials.

2. Alan Bybee and SSDA, LLC own and/or operate the Snake River Mobile Home Park Water System (the system) in Teton County, Wyoming, which provides piped water to the public for human consumption. The system is supplied by a groundwater source consisting of one chlorinated well and serves approximately 65 people through 26 service connections year-round. The system is a "community water system" as defined in 40 C.F.R. § 141.2. Respondents are subject to the requirements of the Act and the National Primary Drinking Water Regulations (drinking water regulations), at 40 C.F.R. part 141.

VIOLATIONS

3. Respondents are required to monitor the system's tap water every three years for lead and copper after initial and annual monitoring has been completed. 40 C.F.R. § 141.86(d)(4)(iii). Respondents monitored for lead and copper in July 2005 but failed to monitor in 2008 and, therefore, violated this requirement.

4. Respondents are required to complete and distribute an annual Consumer Confidence Report (CCR) to system customers by July 1, and provide EPA a copy of the CCR by July 1 and a certification of distribution by October 1. 40 C.F.R. § 141.152(b) and 40 C.F.R. § 141.155(c). Respondents failed to distribute a 2007 CCR to system customers and submit a copy to EPA by July 1, 2008 and, therefore, violated this requirement. Respondents subsequently distributed the CCR to system customers and to EPA.

5. Respondents are required to report any failure to comply with any of the drinking water regulations (with some exceptions not applicable here) to EPA within 48 hours. 40 C.F.R. § 141.31(b). Respondents failed to report the violations listed in paragraphs 3 and 4 above to EPA and, therefore, violated this requirement.

**ORDER**

Based on the above violations, Respondents are ordered to perform the following actions upon receipt of this Order:

6. During the period of June 1 through September 30, 2009, Respondents shall monitor the system's water for lead and copper, taking samples at 5 sites. Thereafter, Respondents shall monitor as required by the drinking water regulations. 40 C.F.R. § 141.86. Respondents shall report all analytical results to EPA within the first 10 days following the end of the monitoring period. 40 C.F.R. § 141.90(a).

7. Respondents shall complete and distribute an annual CCR and provide EPA a copy of each CCR by July 1 and a certification of distribution by October 1. 40 C.F.R. § 141.155(c) and 152(b).

8. Respondents shall report any violation of the drinking water regulations to EPA within 48 hours of discovery. 40 C.F.R. § 141.31(b).

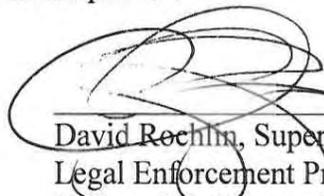
9. All reporting required by this Order shall be directed to:

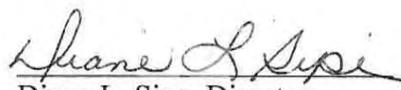
U.S. EPA Region 8 (8P-W-DW)  
1595 Wynkoop Street  
Denver, CO 80202-1129

**GENERAL PROVISIONS**

10. This Order does not constitute a waiver, suspension, or modification of any requirement of the Act or drinking water regulations. Issuance of this Order is not an election by EPA to forgo any civil or criminal action.

11. Violation of any part of this Order, the Act, or the drinking water regulations may subject Respondents to a civil penalty of up to \$37,500 (as adjusted for inflation) per day of violation. 42 U.S.C. § 300g-3(g)(3); 40 C.F.R. part 19.

  
FOR  
David Roehlin, Supervisory Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

  
Diane L. Sipe, Director  
Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice